GRS IX–5]

Previous references (1923 . mine)

File No 81 23

Serial Nos 529

Later references

Preserve

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Part B for

SUBJECT

Execution of warrants &c by one Municipality and issued by other Municipalities

9 To the Dy Commr Kadapa dist

No 1 5718 dated 22 nd Jany '24

states that under the existing act law and Rev is not to be charged with arrears of land Revenue or dues that can be recovered as such and that a change in the existing law is unnecessary at present

BC.
13-3-24

1114

Mul 81-23-5 KG-1/7

SUBJECT No 32

Warrants, etc, issued by one Municipality to be executed by another

Messrs B Kesaviah and Vastare Honnappaiya, Chikmagalur Taluk

Summary of Representation—It is prayed that the service of notices, execution of warrants and all other processes of recovery of taxes, etc, of one Municipality should be executed by another, if application is made for the purpose

under the existing provisions of the Municipal Regulation a municipal Council has power to issue processes for the recovery of taxes, etc, only within the limits of its own jurisdiction.

2) vide sections 82 & 89, Chapter VIII of the Municipal Regn of 1906

3) Hence the present proposal would require the amendment of the existing provisions and perhaps the opinion of the other Municipal Councils may be first called for in the matter of the proposed amendment

S. M.
18/6/23

4) Prepare a draft
What was the note furnished by the Branch on this subject

18/11

2396

The Notes furnished by the Branch runs as follows -

"This does not seem to be admissible Anyhow the Govt Advocate may be consulted in the matter"

(b) Under these circumstances, there seems to be no necessity to Consult the Municipalities now may the file be submitted to the Local & Legislative Secretary & instructions obtained?

Subject for orders

16/4/25

30 11 25

Local Secretary

P. S.

Sir

I have

Chapter VIII of the Municipal Regulation provides for the Recovery of municipal claims by issue of notice of Demand, warrant & by distress & sale of the person [on whom the notice is to be served does not reside within the municipal limits it may be sent by post (vide S 154 (1) (c)).

And a warrant cannot, it seems, be executed on a person residing outside the municipality [Municipal claims may enforce by distress only in respect of property lying within the Municipality

Yes Point may be made in the Report

Serial No

Further under s 164 the municipal council may in case of decree for sale on foreclosure to recover by so proceeding, one in any court In that case it becomes possible to execute the decree of the court in areas outside the municipality Bombay Govt. for orders.

Municipal dues are not to be classed with arrears of land revenue one that can be recovered as such that the dues have to be such in certain case indicates that the intention is not to treat the dues as arrears due to Govt. It appears to be undesirable to effect any such change as is suggested

Dy 15/1

The change if adopted, requires the amendment of the Regulation The change does not seem to be either desirable or expedient. The dues cannot be collected as arrears of land Revenue —

NOTE—Contn. sheet.

G R S III-2]

General and Revenue Secretariat

G File No. 87 of 1923.

Serial No

4217 18-12-23

9

B

NOTE—Contn. sheet.

G.R S VI G 34]

SUBJECT

Diary No 1715 of letter replied to

Section ML

File No 81-23

Serial No 9

General and Revenue Secretariat

(Rural)

, the 192

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue 22/1/24

Signed by

Read—

Rt Subject no 32 of 1922

regarding that warrants to issued on the petition of Cannel may be executed by the municipal ~~bailiff~~ in the Representative Assembly by another, brought forward by messrs B Kesaviah and Varthare Hemmaraya Chetty in connection with the Budget Discussion for the year 1923, ~~held on the 16th day of March 1923~~

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette English Part ?

v translated ?

v placed at the disposal of the press ?

vi published in the Gazette Kannada Part ?

19/1

Order Thereon No L 5718

Prop are of opinion that any change in the existing provisions of the Mysore Rural Regulation on the subject is neither desirable nor expedient as municipal dues cannot be collected as arrears

Under the existing law municipal dues are not classed as arrears of Land Revenue or dues that can be recovered as such. Any change in the existing law is neither desirable

[illegible] not [illegible] The
[illegible] rejected.

2. The Deputy Commissioner is
requested to inform the members
Concerned accordingly

By order

To The Deputy Commr, Khulna
Copy to the Rly. Section 3 spare

List of enclosures

Copied by

Examined by

WD 1823—GPR—1,050 60- 21 12-21